REMARKS

Claims 1, 2, 5-9, 12-14, 18, 19, and 27-32 were pending at the time of the Office Action. Claims 3, 4, 10, 11, 15-17, and 20-26 were previously cancelled without prejudice. Claims 6, 7, and 32 are cancelled in this response. Claims 1, 2, 5, 8, 9, 12, 13, 18, 19, 27, and 30 are amended in this response. Claims 33-41 are new claims. No new matter is added. Claims 1, 2, 5, 8, 9, 12-14, 18, 19, 27-31, and 33-41 are pending at this time with claims 1, 5, 8, 12, and 18 being independent claims. Reconsideration and allowance of the above-referenced application are respectfully requested.

Claims 1, 2, 5, 7-9, 12, 14, 18, 19, and 27-32 stand rejected under 35 USC 102(e) as being anticipated by Chen et al. (US 2004/0174890), hereinafter "Chen." Claims 6 and 13 stand rejected under 35 USC 103(a) as being unpatentable over Chen in view of Joung et al. (US 6,628,613), hereinafter "Joung." The amendments to the claims and the remarks herein obviate the rejections of these claims.

As amended, claim 5 relates to a method for receiving multiple packets on a first stacked switching device from a second stacked switching device. The multiple packets are to be transmitted to multiple first locations in the first stacked switching device. Each stacked switching device includes multiple switching devices stacked on top of each other. It is determined that a first location in the first switching device that is included in the first stacked switching device is congested. A message is transmitted to the second stacked switching device identifying the congested location to temporarily stop packet transmission to the congested location. The message includes a frame including multiple segments. A first segment of the multiple segments identifies the congested

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location and a second segment of the multiple segments identifies the first switching device.

Amendments to claim 5 are fully supported in the Specification. See, e.g., Specification, page 16, line 8 – page 17, line 7, page 12, lines 3 - 12.

Chen does not describe or suggest all the features of claim 5. Specifically, for example, Chen does not teach stacked switching devices, as claimed. Chen describes a first network switch chip that is cascaded with a second network switch chip, each network switch chip including a high-speed network port and multiple connection ports. See, e.g., Chen at abstract. No portion of Chen describes or suggests the claimed stacked switching device that includes multiple switching devices stacked on top of each other. Rather, Chen teaches one network switch chip that is connected to another network switch chip. Neither of Chen's network switch chips include switch chips stacked on top of each other.

Further, Chen does not describe or suggest the claimed message that includes a frame with multiple segments, one of which identifies the congested location and another of which identifies the first switching device. Chen describes that the operation status of the first network switch chip 12 and the second network switch chip 12 includes congestion condition in every port. Also, Chen describes sharing the congestion condition through the connection of the first high-speed network port 16 and the second high-speed network port 18. See, e.g., Chen, [0014]. In addition, Chen describes that the operation status for the network switch chips, that preferably includes the congestion information, can be learned by the network switch chip through the direct link. See, e.g., Chen, [0023].

Chen does not teach that the bi-directional link transmits a message, as claimed. Also, no portion of Chen describes or

suggests sharing the congestion condition by transmitting a
message that includes a segment identifying the congested port
or a segment identifying the network switch chip. In fact, no
portion of Chen teaches the claimed message that includes a
frame including multiple segments, a first of which identifies
the congested location and a second of which identifies the
first switching device.

At least for these reasons, claim 5 is patentable over
Chen. Claim 12 is also patentable over Chen at least for
reasons similar to claim 5. Claims 13 and 14 depend from claim
12 and are patentable at least for similar reasons and for the
additional recitations that they contain.

For example, claim 13 recites "transmitting the message
from the second stacked switching device to a third stacked
switching device." As described previously, Chen does not teach
the features of claim 13. Joung does not rectify the
deficiencies of Chen. Specifically, for example, Joung does not
teach the claimed message. Joung teaches a PAUSE frame
generator that includes a pre-determined pause time that is
transmitted to the multiple Ethernet switches. *See*, e.g., Joung
at Abstract. Joung's PAUSE frame does not include multiple
segments, a first of which identifies the congested location and
a second of which identifies the first switching device. Claim
13 is patentable for these additional reasons.

As amended, claim 18 describes a system including a first
stacked switching device and a second stacked switching device.
Each stacked switching devices includes multiple switching
devices stacked upon each other. The second stacked switching
device transmits multiple packets from one or more second
locations to the first stacked switching device. Each packet
identifies a corresponding destination location where each
packet is to be delivered. The second stacked switching devices

receives a message from the first stacked switching device to
regulate packet flow. The message identifies a congested first
location in the first stacked switching device. The second
stacked switching device queues the received packets in at least
one queue. Further, the second stacked switching devices
determines that a destination location of a first packet of the
received packets is the congested location, and holds the first
packet in at least one queue.

Amendments to claim 18 are fully supported in the
Specification. *See*, e.g., Specification, page 16, line 8 – page
17, line 7, page 18, lines 18-23.

Claim 18 is patentable over Chen at least for reasons
similar to claim 5. Claim 19 is also patentable at least for
similar reasons and for the additional recitations that it
contains.

As amended, claim 1 relates to receiving multiple packets
at multiple first locations in a first stacked switching device
that is operatively coupled to a second stacked switching
device. Each packet identifies a corresponding destination
location where the packet is to be delivered. Each stacked
switching device includes multiple switching devices stacked on
top of each other. The received packets are queued in at least
one queue. A message is received at the first stacked switching
device from the second stacked switching device. The message
identifies a congested second location in the second stacked
switching device. It is determined that a destination location
of a first packet of the received packets is the congested
location, and the first packet is held in the queue.

Amendments to claim 1 are fully supported in the
Specification. See, e.g., Specification, page 16, line 8 – page
17, line 7, page 18, lines 18-23.

As discussed previously, Chen does not disclose stacked switches. Claim 1 and all claims dependent therefrom are patentable over Chen at least for this reason.

<div align="center">CONCLUSION</div>

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the remarks made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

In view of the foregoing amendments and remarks, Applicants respectfully submit that the application is in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Please apply any credits or additional charges to deposit account 06-1050.

Respectfully submitted,

Date: August 18 2008   / Sushil Shrinivasan L0368 /
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